

REPORT OF THE COMMITTEE ON LAW ENFORCEMENT

September 15, 2010

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Gainer, Vice Chairman Silvestri, Commissioners Beavers, Butler, Gorman, Goslin, Moreno, Peraica and Reyes (9)

Absent: None (0)

Also Present: Commissioners Collins, Daley, Murphy, Schneider, Sims and Suffredin; Kevin G. Connelly, 1st Assistant Chief Deputy Sheriff, Court Services Department, Office of the Cook County Sheriff; The Honorable Dorothy Kirie Kinnaird, Presiding Judge, Chancery Division, Circuit Court of Cook County, State of Illinois; Carina Segalini, Mortgage Foreclosure Case Management Coordinator, Circuit Court of Cook County, State of Illinois

Ladies and Gentlemen:

Your Committee on Law Enforcement of the Board of Commissioners of Cook County met pursuant to notice on Wednesday, September 15, 2010 at the hour of 9:30 A.M. in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Your Committee has considered the following items and upon adoption of this report, the recommendations are as follows:

306183 PROHIBITION OF PLASTIC OR UNDETECTABLE KNIVES ORDINANCE (PROPOSED ORDINANCE). Submitting a Proposed Ordinance sponsored by Edwin Reyes, Bridget Gainer and Gregg Goslin, County Commissioners.

PROPOSED ORDINANCE

PROHIBITION OF PLASTIC OR UNDETECTABLE KNIVES

WHEREAS, the Cook County Board pursuant to Section 6 of Article VII of the Constitution of the State of Illinois and has the authority to exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, the corporate authorities of the Cook County Board recognize the importance of protecting its residents from the dangers associated with dangerous weapons; and

WHEREAS, technological advancements have led to the manufacture of non-metallic knives that have the capability of evading metal detectors; and

WHEREAS, some non-metallic knives are blatantly marketed as being "completely undetectable"; and

WHEREAS, undetectable knives pose the risk of individuals evading metal detectors in order to carry dangerous weapons into government buildings such as courthouses, thereby threatening the safety of the judiciary and others; and

WHEREAS, there is no legitimate purpose for an individual to possess an undetectable knife that is manufactured for the express purpose of being able to evade metal detectors.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 58 Offenses and Miscellaneous Provisions, Sections 58-176 through 58-177 of the Cook County Code are hereby enacted as follows:

Sec. 58-176. Plastic or undetectable knives.

(a) As used in this section, *undetectable knife* means any knife or other instrument constructed of materials including but not limited to: hardened plastic, polymer resin, or graphite with or without a handguard that is capable of ready use as a stabbing weapon that may inflict great bodily injury or death that is commercially manufactured to be used as a weapon and is not detectable by a metal detector or magnetometer, either handheld or otherwise, that is set at standard calibration.

(b) It shall be unlawful for any person in Cook County to commercially manufacture or cause to be commercially manufactured, or who knowingly imports into the County for commercial sale, keep for commercial sale, or offer or expose for commercial sale, any undetectable knife.

(c) It shall be unlawful for any person in Cook County to keep, carry, possess, loan or give to any person any undetectable knife.

(d) This subsection shall not apply to the carrying or possession of undetectable knives by peace officers, wardens, superintendents and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of an offense, members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps.

(e) It shall be unlawful for any person to bring or attempt to bring an undetectable knife as described in Section 58-176 into a court facility or on to county property.

(f) This section shall not apply to the sale of undetectable knives to a federal, state or local law enforcement or military entity with a valid agency, department, or unit purchase order.

(g) This section shall not apply to the manufacture or importation of undetectable knives for sale to federal, state, and local historical societies, museums, and institutional collections, which are open to the public, provided that the undetectable knives are properly housed and secured from unauthorized handling, nor shall this section apply to the subsequent sale of the knives to these societies, museums, and collections.

(h) This section will not apply to plastic knives whose intent is to aid in the consumption of food.

(i) Any person found in violation of subsection (a) or (b) should be subject to a fine of at least \$500.00 and not more than \$1000.00.

(j) In addition to all other penalties, knives used in violation of this section shall be forfeited to, and confiscated by the Sheriff.

Sec. 58-177. Administrative adjudication.

Any person issued a notice of violation for violation of Section 58-176 of this Article may request an administrative hearing in accordance with Chapter 2 Administration, Article IX, Administrative Hearings of this Code.

Effective date: This Ordinance shall be in effect immediately upon adoption.

Commissioner Reyes, seconded by Commissioner Goslin, moved the approval of Communication No. 306183. The motion carried.

307924 COOK COUNTY MORTGAGE FORECLOSURE MEDIATION PROGRAM UPDATE. Transmitting a Communication, dated July 22, 2010 from Bridget Gainer, County Commissioner:

requesting an update on the Cook County Mortgage Foreclosure Mediation Program from the Honorable Timothy C. Evans, Chief Judge, Circuit Court of Cook County. The grant activity report was requested by letter on July 21, 2010.

The Honorable Dorothy Kirie Kinnaid, Presiding Judge, Chancery Division, Circuit Court of Cook County, State of Illinois, delivered an update on the Cook County Mortgage Foreclosure Mediation Program.

Judge Kinnaid stated the following: Default foreclosure calls have been established. A home is not taken away from its owner until it is clear that a bank owns the note. The PIN numbers and addresses are scrutinized, and it is determined whether the affidavits and attorneys' fees are appropriate. This is done in all cases regardless of whether a borrower shows up. All of this has been done consistently since 2002. A comprehensive support system was put into place in 2003 for foreclosures. In 2003 a Chancery Division Advice Desk was created, which is staffed by attorneys from the Chicago Legal Clinic. We put together the first Access to Justice Program in the Circuit Court of Cook County, whereby attorneys are appointed in civil cases to represent anyone who cannot afford an attorney. In 2008 she put together a comprehensive advisory group to help put together the Mediation Program, which is now fully up and running.

So far there have been 12,000 calls to the Illinois Housing Development Hotline. 3000 people have had the opportunity to meet for an hour with a HUD-certified housing counselor, 88% of those people have had off-site, follow-up, housing counseling appointments in their neighborhoods. 112 individuals have received free legal representation. Our judges have sent 412 cases into mediation with attorney support.

With respect to Communication No. 307924, no action was taken by the Committee.

Vice Chairman Silvestri moved to adjourn the meeting, seconded by Commissioner Butler. The motion carried and the meeting was adjourned.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTIONS
WITH REGARD TO THE MATTER NAMED HEREIN:**

Communication Number 306183
Communication Number 307924

Approve
No Action Taken

Respectfully submitted,
Committee on Law Enforcement

Bridget Gainer, Chairman

Attest:

Matthew B. DeLeon, Secretary

An audio recording of this meeting is available in the Office of the Secretary to the Board, 118 North Clark Street, Room 567, Chicago, IL 60602.